

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States Courts
Southern District of Texas
FILED

DEC 19 2019

David J. Bradley, Clerk of Court

United States of America, §
Plaintiff § CRIMINAL NO.
v. § 19 CR 918
§
§
JULIUS JOACHIM OHUMOLE § Count 1, Conspiracy (18 U.S.C §1349)
a/k/a Kenneth Davis and § Counts 2-5, Bank Fraud (18 U.S.C §1344)
James Merrell Washington, § Counts 6-7, Aggravated Identity Theft
Defendant § (18 U.S.C. §1028A)
§ Notice of Forfeiture

INDICTMENT

THE GRAND JURY CHARGES:

COUNT ONE
(Conspiracy, 18 U.S.C § 1349)

A. INTRODUCTION

1. The Federal Deposit Insurance Corporation (“FDIC”) is an agency of the United States established to protect depositors of financial institutions by insuring accounts of depositors against loss up to \$250,000.00 with the purpose of preventing their collapse and instilling public confidence in the nation’s financial institutions. The FDIC is backed by the United States Government.

2. Regions Bank ("Regions") was a financial institution located in Houston, Texas, the deposits of which were insured by the FDIC.

B. THE CONSPIRACY AND ITS OBJECTS

3. Beginning in or about December 5, 2018, and continuing to on or about January 28, 2019, in the Houston Division of the Southern District of Texas, and elsewhere

**JULIUS JOACHIM OHUMOLE, a/k/a
Kenneth Davis
and
James Merrell Washington**

Defendant herein, did knowingly combine conspiracy, confederate and agree with other persons unknown to the grand jury to commit offenses against the United States, namely

(a) to knowingly execute and attempt to execute a scheme and artifice to defraud Regions, and to obtain money, funds and credit owned by and under the custody and control of Regions by means of materially false and fraudulent pretenses, representations and promises including the concealment of material facts, in violation of Title 18, United States Code, Section 1344, and

(b) to knowingly possess and use in or affecting interstate commerce, without lawful authority, a means of identification of another

person, with intent to commit a violation of Federal law, to wit: bank fraud, in violation of Title 18, United States Code, Section 1344.

C. THE MANNER AND MEANS OF THE CONSPIRACY

It was a part of the conspiracy that:

4. The conspirators would and did steal and otherwise obtain personal identifying information, including names and social security number of individuals.
5. Without lawful authority, the conspirators would and did use the stolen and unlawfully obtained personal identifying information to obtain access to bank accounts at Regions.
6. The conspirators would and did transfer and caused to be transferred money from bank accounts at Regions to business accounts at Regions opened with false identifying information without the authorization of the owners of the Regions bank accounts.
7. The conspirators would and did wire transfer and cause to be wire transferred the money obtained without the authorization of the owners of the Regions bank accounts to bank accounts in New York and then to bank accounts outside the United States.

In violation of Title 18, United States Code, Section 1349.

COUNTS TWO through FIVE

(Bank Fraud, 18 U.S.C. § 1344)

A. INTRODUCTION

1. The grand jury realleges and incorporates paragraphs 1 through 2 of Count One as is fully set out at length herein.

B. SCHEME AND ARTIFICE

2. Beginning on or about December 5, 2018 and continuing through on or about January 28, 2019 in the Houston Division of the Southern District of Texas, and elsewhere,

**JULIUS JOACHIM OHUMOLE, aka
Kenneth Davis
and
James Merrell Washington**

Defendant herein, aided and abetted by others unknown to the Grand Jury did knowingly execute and attempt to execute a scheme and artifice to defraud Regions, and to obtain money, funds and credit owned by and under the custody and control of Regions by means of materially false and fraudulent pretenses, representations and promises including the concealment of material facts.

C. THE MANNER AND MEANS

The manner and means of the scheme and artifice included, but were not limited to the following:

3. It was part of the scheme and artifice that the defendant would and did use false means of identification to open bank accounts at Regions.
4. It was part of the scheme and artifice that the defendant would and accompany other unknown individuals to Regions who presented false driver's license as a means of identification to be added as a co-signor to the bank accounts opened by the defendant.
5. It was part of the scheme and artifice that the defendant would and did present and cause to be presented to Regions for the unknown co-signor the actual social security number of a real account customer at Regions.
6. It was part of the scheme and artifice that the defendant and others unknown to the Grand Jury were able to gain access to the actual account of the real Regions customer without the knowledge and authorization of that customer.
7. It was part of the scheme and artifice that the defendant and others unknown to the Grand Jury made and caused to be made transfers from the account of the real Regions customer to the account opened by the defendant without the knowledge and authorization of that customer.
8. It was part of the scheme and artifice that the defendant and others unknown to the Grand Jury then wire transferred and caused to be made wire transfers

from the Regions account opened by the defendant of the money obtained without the knowledge and authorization of the real Regions customer.

9. EXECUTION

On or about the dates set out in the Counts below in the Houston Division of the Southern District of Texas, and elsewhere, the defendant aided and abetted by others unknown to the grand jury executed and attempted to execute the aforesaid scheme and artifice to defraud, as described in the Counts below:

COUNT	DATE	EXECUTION/ATTEMPT
Two	January 4, 2019	\$274,000.00 transferred from the Regions account of an individual with the initials of SS into the Mars Constructions bank account at Regions opened by the defendant
Three	January 8, 2019	\$200,000.00 transferred from the Regions account of an individual with the initials of SS into the Mars Constructions bank account at Regions opened by the defendant
Four	January 22, 2019	\$480,000.00 transferred from the Regions account of an individual with the initials of CBH into the JMW Holt Constructions bank account at Regions opened by the defendant

Five	January 28, 2019	\$325,000.00 transferred from the Regions account of an individual with the initials of CBH into the JMW Holt Constructions bank account at Regions opened by the defendant
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In violation of Title 18, United States Code, Sections 1344 and 2.

COUNTS SIX and SEVEN

(Aggravated Identity Theft, 18 U.S.C. § 1028A)

A. INTRODUCTION

1. A Social Security Number is a unique number assigned by the United States to a citizen.

B. THE OFFENSE

2. On or about the dates set out in the counts below, in the Houston Division of the Southern District of Texas, and elsewhere

**JULIUS JOACHIM OHUMOLE, aka
Kenneth Davis
and
James Merrell Washington**

Defendant herein, aided and abetted by others unknown to the Grand Jury, did knowingly transfer, possess and use without lawful authority, a means of identification of another person, to-wit, the name and social security number of the persons identified below by their initials, during and in relation to a violation of Title 18, United States Code, Section 1344 (Bank Fraud):

COUNT	DATE	PERSON
SIX	December 31, 2018	S.S.
SEVEN	January 18, 2019	C.B.H.

In violation of Title 18, United States Code, Sections 1028A and 2.

NOTICE OF CRIMINAL FORFEITURE
(Title 18, U.S.C. §982(a)(2))

Pursuant to Title 18, United States Code, Section 982(a)(2), the United States gives notice to defendant,

JULIUS JOACHIM OHUMOLE

that in the event of conviction of any of the offenses charged in Counts One through Seven of this Indictment, the United States intends to seek forfeiture of all property which constitutes or is derived from proceeds obtained directly or indirectly from such offense.

Money Judgment

The United States gives notice that it will seek a money judgment against the Defendant in the amount of \$1,279,000.00. In the event that one or more conditions listed in Title 21, United States Code, Section 853(p) exist, the United States will seek to forfeit any other property of the Defendant up to the amount of the money judgment.

A True Bill:

ORIGINAL SIGNATURE ON FILE
Foreperson of the Grand Jury

RYAN K. PATRICK
UNITED STATES ATTORNEY

By: John R. Braddock
JOHN R. BRADDOCK
Assistant United States Attorney